

SB 1454 (DeSaulnier)
As Amended – April 26, 2010

PLASTIC END-OF-LIFE CLAIMS
Fact Sheet

SUMMARY

SB 1454 prohibits manufacturers from making false claims about the degradation of their products and requires that end-of-life claims for plastic products be verifiable by scientific technical standards.

BACKGROUND

Plastic litter is a serious and growing environmental problem. SB 1454 ensures that product manufacturers do not encourage the littering of their products by making misleading claims about the biodegradability of plastic.

Claiming that plastic is “biodegradable” is inherently misleading because the environmental conditions and timeframe required for the supposed biodegradation are not communicated to consumers. Most consumers will assume that “biodegradable” means a product will quickly break down if littered, which is not true even for “compostable” plastics designed to break down in composting facilities.

Scientific technical standards exist to verify that a product is “compostable.” However, no scientific technical standard exists to verify if a product is “biodegradable,” because the conditions and timeframe inherent in the claim of “biodegradability” are too nebulous.

Additionally, some products are claiming to be “compostable” even though they do not meet the technical scientific standards for “compostable” and do not actually break down in composting facilities.

Falsely claiming that products are “compostable” damages composting facilities’ ability to ensure their feedstock material will break down properly and be available for resale to end users.

In addition, consumers mistakably believe that littering materials labeled “compostable” or “biodegradable” is acceptable because they will quickly break down and not cause any harm to the environment.

Current guidelines for plastic labeling only apply to plastic bags and food packaging. Under current law, manufactures of plastic bags and food packaging cannot claim that their products are “biodegradable” and can only claim their products are “compostable” if they meet the American Society for Testing and Materials (ASTM) scientific technical standard for “compostability,” ASTM D6400.

PREVIOUS LEGISLATION

AB 1972 (DeSaulnier) of 2008 – Chaptered.
AB 2071 (Karnette) of 2008 – Chaptered.
AB 2147 (Harman) of 2007 – Died Assembly.
SB 1749 (Karnette) of 2004 – Chaptered.

THIS BILL

SB 1454 extends the current labeling requirements placed on bag and food packaging to all plastic products.

Specifically, SB 1454 prohibits manufacturers from claiming their products are “biodegradable” and would require that manufacturers of products that claim to be “compostable” meet the scientific technical standard for “compostability,” ASTM D6400.

STATUS

May 17th – Senate Floor

SUPPORT

- Californians Against Waste (sponsor)
- California Resource Recovery Association

OPPOSITION

None on File

FOR MORE INFORMATION

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